

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, JULY 31, 2019 SCC-CLERK'S OFFICE
DOCUMENT CONTROL CENTER

PETITION OF

2019 JUL 31 P 4:37

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2019-00105

For approval and certification of the proposed
US-4 Solar Project pursuant to §§ 56-580 D and
56-46.1 of the Code of Virginia, and for approval
of a rate adjustment clause, designated Rider US-4,
under § 56-585.1 A 6 of the Code of Virginia

ORDER FOR NOTICE AND HEARING

On July 23, 2019, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") a petition ("Petition") for approval and a certificate of public convenience and necessity ("CPCN") to construct and operate the Sadler Solar Facility, an approximately 100 megawatt ("MW") utility scale solar photovoltaic generating facility, located in Greensville County, Virginia ("the "US-4 Solar Project" or the "Project"). The Company requests approval of and a CPCN for the US-4 Solar Project pursuant to §§ 56-46.1 and 56-580 D of the Code of Virginia ("Code") and the Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility ("Generation Rules").¹ Through its Petition, the Company also requests approval of a rate adjustment clause ("RAC"), designated Rider US-4, pursuant to Code § 56-585.1 A 6 ("Subsection A 6") and the Rules Governing Utility Rate Applications and Annual Informational Filings ("Rate Case Rules").² Dominion filed a Motion for Entry of a Protective Order and

¹ 20 VAC 5-302-10 *et seq.*

² 20 VAC 5-201-10 *et seq.*

Additional Protective Treatment ("Motion for Protective Order"), as well as a proposed Protective Order with its Petition.

Dominion maintains that the US-4 Solar Project is needed, economic, and will provide ongoing capacity, energy, and environmental benefits for its customers and the Commonwealth of Virginia.³ The Company states that the Company's past five integrated resource plans have identified the need for solar generating resources to serve the Company's projected load, and that the projected 2020 commercial operations date ("COD") for the US-4 Project is consistent with the Company's short-term action plan from its 2018 Integrated Resource Plan, which called for constructing 960 MW of solar through 2021.⁴ The Company further states that the Grid Transformation and Security Act, among other things, promotes the construction of new utility-owned and -operated solar or wind generation facilities and amends Subsection A 6 to provide that 5,000 MW of solar is in the public interest.⁵ According to Dominion, beginning construction before December 31, 2019, will allow the Company to maximize the federal investment tax credits available for solar facilities, which will result in an approximately \$19 million reduction to overall customer costs.⁶

Dominion represents that in conjunction with its efforts to expand its portfolio of renewable and carbon free resources, the Company issued a request for proposals ("2018 Wind-Solar RFP") designed to identify potential acquisition projects to review and potential power

³ Petition at 4.

⁴ *Id.*

⁵ Petition at 4-5.

⁶ *Id.* at 5.

purchase agreements to purchase, and provide a third-party market alternatives test.⁷ The Company asserts that its 2018 Wind-Solar RFP meets the Subsection A 6 requirement to consider and weigh alternative options, including third party market alternatives, in selecting proposed generating facilities.⁸

As proposed, the Project would be comprised of ground-mounted, single-axis tracking solar panel arrays with an expected operating life of 35 years.⁹ If approved, Dominion expects the Project to be in service by December 2020.¹⁰ The Company states that the Project will provide direct and indirect economic benefits to the Commonwealth of Virginia of approximately \$105.3 million, which will support 776 jobs on a cumulative basis from 2018 to 2021.¹¹ Dominion represents that post-construction combined economic benefits are projected to be approximately \$3.1 million annually, and approximately 12 jobs will be supported, with most of these effects occurring in Greensville County where the Project is located.

The Company is proposing a performance guarantee for the US-4 Solar Project (the "Performance Guarantee") based on the performance guarantee approved by the Commission for the US-3 Solar Projects in Case No. PUR-2018-00101.¹² The proposed Performance Guarantee would hold customers harmless for performance below a 21% capacity factor, net of

⁷ Pre-Filed Direct Testimony of James M. Billingsley at 3.

⁸ Petition at 6.

⁹ *Id.* at 7.

¹⁰ *Id.*

¹¹ *Id.* at 9.

¹² *Petition of Virginia Electric and Power Company, For approval and certification of the proposed US-3 Solar Projects pursuant to §§ 56-580 D and 56-46.1 of the Code of Virginia, and for approval of a rate adjustment clause, designated Rider US-3, under § 56-585.1 A 6 of the Code of Virginia*, Case No. PUR-2018-00101, Order Granting Certificates, Doc. Con. Ctr. No. 190140132 (Jan. 24, 2019).

unavailability (the "Target Capacity Factor").¹³ To the extent the actual capacity factor of the Project, after accounting for force majeure events, fell below the Target Capacity Factor, the Company will credit customers for lost renewable energy credit certificate ("REC") revenues and replacement power costs. The Company proposes that lost REC revenues be credited in the next Rider US-4 proceeding, and any replacement power costs be credited through the next fuel factor proceeding. As proposed, the Performance Guarantee would remain in place for 20 years following the Project's COD.

The Company proposes an initial rate year for Rider US-4 of June 1, 2020, to May 31, 2021 ("Rate Year"), and represents that the three key components of the revenue requirement for the US-4 Solar Project are the Projected Cost Recovery Factor, the AFUDC¹⁴ Cost Recovery Factor, and the Actual Cost True-Up Factor.¹⁵ Dominion states that the Projected Cost Recovery Factor consists of the projected financing costs on invested capital for the Rate Year, plus income taxes on the equity component of the return and projected operating costs of the plant during the post-COD portion of the Rate Year, as applicable.¹⁶ The Company indicates that the AFUDC Cost Recovery Factor consists of the recovery of AFUDC projected to be accrued on the Company's books for the US-4 Solar Project.¹⁷ Dominion states that it did not include a true-up amount in this proceeding. However, if initiated in 2021 as expected, Dominion represents

¹³ Petition at 7.

¹⁴ AFUDC stands for allowance for funds used during construction. Petition at 11.

¹⁵ Petition at 11.

¹⁶ *Id.*

¹⁷ Petition at 12. Dominion recommends that the amortization period for the total amount of deferred AFUDC be the period beginning with the commencement of rates for the initial Rider US-4 through the projected end of the construction period.

that the Actual Cost True-Up Factor will either credit to, or recover from, jurisdictional customers the difference between actual revenues recovered through Rider US-4 for calendar year 2020 compared to actual costs.¹⁸ The Company indicates that the total revenue requirement requested for the Rate Year for Rider US-4 is \$8,480,455.¹⁹

The Company proposes allocating production plant and related expenses in this proceeding using its Factor 1, calculated from the average and excess method.²⁰ The Company notes that, consistent with the Commission's Final Order in Case No. PUR-2018-00101,²¹ it has filed a cost allocation study for intermittent facilities in the Company's ongoing Rider US-3 proceeding.²² The Company states that the determinations of the Commission in the Rider US-3 proceeding could be applied to Rider US-4, should the Commission so direct.²³

If the proposed Rider US-4 is approved, the impact on customer bills would depend on the customer's rate schedule and usage. The Company asserts that implementation of the proposed Rider US-4 on June 1, 2020, will increase the monthly bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.17.²⁴

¹⁸ Petition at 12.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Petition of Virginia Electric and Power Company, For approval and certification of the proposed US-3 Solar Projects pursuant to §§ 56-580 D and 56-46.1 of the Code of Virginia, and for approval of a rate adjustment clause, designated Rider US-3, under § 56-585.1 A 6 of the Code of Virginia*, Case No. PUR-2018-00101, Order Approving Rate Adjustment Clause, Doc. Con. Ctr. No. 190420099 (Apr. 15, 2019).

²² Petition at 12.

²³ *Id.*

²⁴ *Id.* at 13.

In its Petition, Dominion requests partial waivers of certain Rate Case Rules and Generation Rules. First, the Company requests partial waiver of the requirements of Rules 60 and 90 of the Rate Case Rules, with respect to Filing Schedule 45 (Return on Equity Peer Group Benchmark).²⁵ In support of its request, the Company states that "[p]ursuant to the provisions of Va. Code §§ 56-585.1 and 56-585.1:1, and consistent with recent Commission orders granting similar limited waivers, a return on equity determination is not to be made in this proceeding" and that good cause exists to waive this filing requirement.²⁶

Second, the Company requests waiver of filing additional copies of its publicly available 2018 Form 10-K as required by 20 VAC 5-302-20(4) of the Generation Rules.²⁷ Dominion represents that it requests this waiver for purposes of judicial economy and states that it has filed one copy of its 2018 Form 10-K with the Clerk of the Commission and provided website links to the publicly available documents.

Third, Dominion requests partial waiver of the requirements that pertain to fuel supply studies and arrangements ("fuel requirements").²⁸ Specifically, the Company requests waiver of Rate Case Rules 60 and 90, with respect to Filing Schedule 46 (b) as to fuel requirements. In addition, the Company requests waiver of the following Generation Rules as to fuel requirements: (i) 20 VAC 5-302-25(8); and (ii) 20 VAC 5-302-35(2) and (6).²⁹ In support of

²⁵ *Id.* at 2, 17.

²⁶ *Id.* at 17.

²⁷ *Id.*

²⁸ *Id.* at 17-18.

²⁹ *Id.* at 18.

these requests for waivers, Dominion asserts that because the fuel source for the proposed US-4 Solar Facility is the sun, these fuel requirements are not applicable.³⁰

Finally, the Company requests a limited waiver of the requirement in 20 VAC 5-302-25(6)(b) of the Generation Rules to providing topographic maps of the proposed site for the US-4 Solar Project.³¹ The Company states that a topographic map is not available for the Project, however, an aerial view and a site location map was provided for the Project.³²

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board ("Board") must consult on wetland impacts prior to the siting of electric utility facilities that require a CPCN. As provided by Section 3 of the Department of Environmental Quality – State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts, the Staff of the Commission ("Staff") has advised the Department of Environmental Quality ("DEQ"), acting on behalf of the Board, that Dominion filed its Petition in Case No. PUR-2019-00105 and that the Board's consultation is required.³³

In addition to the consultation on wetlands, Code §§ 10.1-1186.2:1 B and 56-46.1 G direct the Commission and the DEQ to coordinate the environmental review of proposed generating plants and associated facilities. Additionally, Code § 56-46.1 A provides for the Commission to receive and to consider reports on the proposed facilities from state environmental agencies. Accordingly, Staff has requested the DEQ to coordinate an

³⁰ *Id.*

³¹ *Id.*

³² *Id.*; see Pre-Filed Testimony of Keith Windle at Schedules 4 and 5.

³³ Letter from Frederick D. Ochsenhirt, Esquire, State Corporation Commission, dated July 25, 2019, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2019-00105.

environmental review of the proposed Project by the appropriate agencies and to provide a report on the review.³⁴

NOW THE COMMISSION, upon consideration of this matter, is of the opinion and finds that this matter should be docketed; Dominion should provide public notice of its Petition; public hearings should be scheduled for the purpose of receiving testimony and evidence on the Petition; interested persons should have an opportunity to file comments on the Petition or participate as a respondent in this proceeding; and the Staff should be directed to investigate the Petition and file testimony and exhibits containing its findings and recommendations thereon.

With respect to the Company's waiver requests, we find as follows. First, we grant Dominion's request to waive the filing of Schedule 45 for purposes of making the Petition complete and commencing this proceeding. Second, we grant the Company's request to waive filing additional copies of its 2018 Form 10-K as required by 20 VAC 5-302-20(4) of the Generation Rules. Further, we grant limited waiver of Rules 60 and 90 of the Rate Case Rules with respect to Filing Schedule 46 (b) as to fuel requirements and the Company's request for waiver of the following Generation Rules: (i) 20 VAC 5-302-25(8) as to fuel requirements; (ii) 20 VAC 5-302-35(2) and (6) as to fuel requirements; and (iii) 20 VAC 5-302-25(6)(b) as to providing a topographic map of the proposed sites for the Project, for purposes of commencing this proceeding.

³⁴ Letter from Frederick D. Ochsenhirt, Esquire, State Corporation Commission, dated July 25, 2019, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2019-00105.

However, we stress that by granting these aforementioned waiver requests at this stage of the proceeding, we are not ruling on the relevance, if any, that information required by these rules may have in this, any future Rider US-4 proceeding, or other similar proceedings.³⁵

Accordingly, IT IS ORDERED THAT:

(1) This matter is docketed and assigned Case No. PUR-2019-00105.

(2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"),³⁶ a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission, including ruling on the Company's Motion for Protective Order.

(3) A public hearing on the Petition shall be convened on November 19, 2019, at 10 a.m., in the Commission's second floor courtroom, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive into the record the testimony of public witnesses and the evidence of the Company, any respondents, and Staff on the CPCN portion of Dominion's Petition. Any person desiring to offer testimony as a public witness at this hearing on the CPCN portion of Dominion's Petition should appear in the Commission's courtroom fifteen (15) minutes prior to the starting time of the hearing and identify himself or herself to the Commission's Bailiff.

(4) A public hearing on the Petition shall be convened on February 25, 2020, at 10 a.m., in the Commission's second floor courtroom, Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive into the record the testimony of public witnesses and the evidence of the Company, any respondents, and Staff on the RAC portion of Dominion's Petition. Any

³⁵ Approval of this limited waiver does not prohibit the issue from being revisited, if warranted.

³⁶ 5 VAC 5-20-10 *et seq.*

person desiring to offer testimony as a public witness at this hearing should appear in the Commission's courtroom fifteen (15) minutes prior to the starting time of the hearing on the RAC portion of Dominion's Petition and identify himself or herself to the Commission's Bailiff.

(5) The Company shall make copies of the public version of its Petition, as well as a copy of this Order for Notice and Hearing, available for public inspection during regular business hours at each of the Company's business offices in the Commonwealth of Virginia. Copies also may be obtained by submitting a written request to counsel for the Company, Lisa S. Booth, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219. If acceptable to the requesting party, the Company may provide the documents by electronic means. Copies of the public version of all documents also shall be available for interested persons to review in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Interested persons also may download unofficial copies from the Commission's website:

<http://www.scc.virginia.gov/case>.

(6) On or before August 28, 2019, the Company shall cause the following notice and sketch map showing the locations of the proposed facility (Attachment I to this Order) to be published as display advertising (not classified) on one occasion in newspapers of general circulation throughout the Company's service territory in Virginia:

NOTICE TO THE PUBLIC OF
THE PETITION OF VIRGINIA ELECTRIC AND POWER
COMPANY FOR APPROVAL AND CERTIFICATION OF THE
PROPOSED US-4 SOLAR PROJECT AND FOR APPROVAL
OF A RATE ADJUSTMENT CLAUSE
CASE NO. PUR-2019-00105

On July 23, 2019, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") a petition ("Petition") for approval and a certificate of public convenience and necessity ("CPCN") to construct and operate the Sadler Solar Facility, an approximately 100 megawatt ("MW") utility scale solar photovoltaic generating facility, located in Greensville County, Virginia ("the "US-4 Solar Project" or the "Project"). The Company requests approval of and a CPCN for the US-4 Solar Project pursuant to §§ 56-46.1 and 56-580 D of the Code of Virginia ("Code") and the Filing Requirements in Support of Applications for Authority to Construct and Operate an Electric Generating Facility. Through its Petition, the Company also requests approval of a rate adjustment clause ("RAC"), designated Rider US-4, pursuant to Code § 56-585.1 A 6 ("Subsection A 6") and the Rules Governing Utility Rate Applications and Annual Informational Filings. Dominion filed a Motion for Entry of a Protective Order and Additional Protective Treatment, as well as a proposed Protective Order with its Petition.

Dominion maintains that the US-4 Solar Project is needed, economic, and will provide ongoing capacity, energy, and environmental benefits for its customers and the Commonwealth of Virginia. The Company states that the Company's past five integrated resource plans have identified the need for solar generating resources to serve the Company's projected load, and that the projected 2020 commercial operations date ("COD") for the US-4 Project is consistent with the Company's short-term action plan from its 2018 Integrated Resource Plan, which called for constructing 960 MW of solar through 2021. The Company further states that the Grid Transformation and Security Act, among other things, promotes the construction of new utility-owned and -operated solar or wind generation facilities and amends Subsection A 6 to provide that 5,000 MW of solar is in the public interest. According to Dominion, beginning construction before December 31, 2019, will allow the Company to maximize the federal investment tax credits available for solar facilities, which will result in an approximately \$19 million reduction to overall customer costs.

Dominion represents that in conjunction with its efforts to expand its portfolio of renewable and carbon free resources, the Company issued a request for proposals ("2018 Wind-Solar RFP") designed to identify potential acquisition projects to review and potential power purchase agreements to purchase, and provide a third-party market alternatives test. The Company asserts that its

2018 Wind-Solar RFP meets the Subsection A 6 requirement to consider and weigh alternative options, including third party market alternatives, in selecting proposed generating facilities.

As proposed, the Project would be comprised of ground-mounted, single-axis tracking solar panel arrays with an expected operating life of 35 years. If approved, Dominion expects the Project to be in service by December 2020. The Company states that the Project will provide direct and indirect economic benefits to the Commonwealth of Virginia of approximately \$105.3 million, which will support 776 jobs on a cumulative basis from 2018 to 2021. Dominion represents that post-construction combined economic benefits are projected to be approximately \$3.1 million annually, and approximately 12 jobs will be supported, with most of these effects occurring in Greenville County where the Project is located.

The Company is proposing a performance guarantee for the US-4 Solar Project (the "Performance Guarantee") based on the performance guarantee approved by the Commission for the US-3 Solar Projects in Case No. PUR-2018-00101. The proposed Performance Guarantee would hold customers harmless for performance below a 21% capacity factor, net of unavailability (the "Target Capacity Factor"). To the extent the actual capacity factor of the Project, after accounting for force majeure events, fell below the Target Capacity Factor, the Company will credit customers for lost renewable energy credit certificate ("REC") revenues and replacement power costs. The Company proposes that lost REC revenues be credited in the next Rider US-4 proceeding, and any replacement power costs be credited through the next fuel factor proceeding. As proposed, the Performance Guarantee would remain in place for 20 years following the Project's COD.

The Company proposes an initial rate year for Rider US-4 of June 1, 2020, to May 31, 2021 ("Rate Year"), and represents that the three key components of the revenue requirement for the US-4 Solar Project are the Projected Cost Recovery Factor, the AFUDC Cost Recovery Factor, and the Actual Cost True-Up Factor. Dominion states that the Projected Cost Recovery Factor consists of the projected financing costs on invested capital for the Rate Year, plus income taxes on the equity component of the return and projected operating costs of the plant during the post-COD portion of the Rate Year, as applicable. The Company indicates that the AFUDC Cost Recovery Factor consists of the recovery of AFUDC projected to be accrued on the Company's

books for the US-4 Solar Project. Dominion states that it did not include a true-up amount in this proceeding. However, if initiated in 2021 as expected, Dominion represents that the Actual Cost True-Up Factor will either credit to, or recover from, jurisdictional customers the difference between actual revenues recovered through Rider US-4 for calendar year 2020 compared to actual costs. The Company indicates that the total revenue requirement requested for the Rate Year for Rider US-4 is \$8,480,455.

The Company proposes allocating production plant and related expenses in this proceeding using its Factor 1, calculated from the average and excess method. The Company notes that, consistent with the Commission's Final Order in Case No. PUR-2018-00101, it has filed a cost allocation study for intermittent facilities in the Company's ongoing Rider US-3 proceeding. The Company states that the determinations of the Commission in the Rider US-3 proceeding could be applied to Rider US-4, should the Commission so direct.

If the proposed Rider US-4 is approved, the impact on customer bills would depend on the customer's rate schedule and usage. The Company asserts that implementation of the proposed Rider US-4 on June 1, 2020, will increase the monthly bill of a residential customer using 1,000 kilowatt hours per month by approximately \$0.17.

Interested persons are encouraged to review the Petition and supporting documents for the details of these and other proposals.

TAKE NOTICE that the Commission may apportion revenues among customer classes and/or design rates in a manner differing from that shown in the Petition and supporting documents and thus may adopt rates that differ from those appearing in the Company's Petition and supporting documents.

The Commission entered an Order for Notice and Hearing that, among other things, scheduled a public hearing on November 19, 2019, at 10 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive testimony from members of the public and evidence related to the CPCN portion of Dominion's Petition from the Company, any respondents, and the Commission's Staff. Any person desiring to testify as a public witness at this hearing on the CPCN portion of Dominion's Petition should appear fifteen

(15) minutes prior to the starting time of the hearing and contact the Commission's Bailiff.

The Commission also scheduled a public hearing on February 25, 2020, at 10 a.m., in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, to receive testimony from members of the public and evidence related to the RAC portion of Dominion's Petition from the Company, any respondents, and the Commission's Staff. Any person desiring to testify as a public witness at this hearing on the RAC portion of Dominion's Petition should appear fifteen (15) minutes prior to the starting time of the hearing and contact the Commission's Bailiff.

The public version of the Company's Petition, as well as the Commission's Order for Notice and Hearing, are available for public inspection during regular business hours at each of the Company's business offices in the Commonwealth of Virginia. Copies also may be obtained by submitting a written request to counsel for the Company, Lisa S. Booth, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219. If acceptable to the requesting party, the Company may provide the documents by electronic means.

Copies of the public version of the Petition and other documents filed in this case also are available for interested persons to review in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Interested persons also may download unofficial copies from the Commission's website: <http://www.scc.virginia.gov/case>.

On or before November 12, 2019, any interested person wishing to comment on the CPCN portion of Dominion's Petition shall file written comments on the Petition with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Any interested person desiring to file such comments electronically may do so on or before November 12, 2019, by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All such comments shall refer to Case No. PUR-2019-00105.

On or before February 18, 2020, any interested person wishing to comment on the RAC portion of Dominion's Petition shall file written comments on the Petition with the Clerk of the Commission at the address above. Any interested person desiring to file such comments electronically may do so on or before February 18, 2020, by following the instructions on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All such comments shall refer to Case No. PUR-2019-00105.

On or before September 17, 2019, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation. If not filed electronically, an original and fifteen (15) copies of the notice of participation shall be submitted to the Clerk of the Commission at the address above. A copy of the notice of participation as a respondent also must be sent to counsel for the Company at the address set forth above. Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by Rule 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2019-00105.

On or before October 8, 2019, each respondent may file with the Clerk of the Commission, and serve on the Commission's Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case on the CPCN portion of Dominion's Petition, and each witness's testimony shall include a summary not to exceed one page. If not filed electronically, an original and fifteen (15) copies of such testimony and exhibits shall be submitted to the Clerk of the Commission at the address above. In all filings, respondents shall comply with the Commission's Rules of Practice, including 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2019-00105.

On or before January 7, 2020, each respondent may file with the Clerk of the Commission, and serve on the Commission's Staff, the Company, and all other respondents, any testimony and

exhibits by which the respondent expects to establish its case on the RAC portion of Dominion's Petition, and each witness's testimony shall include a summary not to exceed one page. If not filed electronically, an original and fifteen (15) copies of such testimony and exhibits shall be submitted to the Clerk of the Commission at the address above. In all filings, respondents shall comply with the Commission's Rules of Practice, including 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2019-00105.

All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The Commission's Rules of Practice may be viewed at <http://www.scc.virginia.gov/case>. A printed copy of the Commission's Rules of Practice and an official copy of the Commission's Order for Notice and Hearing in this proceeding may be obtained from the Clerk of the Commission at the address above.

VIRGINIA ELECTRIC AND POWER COMPANY

(7) On or before August 28, 2019, the Company shall serve a copy of this Order for Notice and Hearing on the following officials, to the extent the position exists, in each county, city, and town in which the Company provides service in the Commonwealth of Virginia: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent official) of every city and town; and the county, city, or town attorney. Service shall be made by either personal delivery or first-class mail to the customary place of business or residence of the person served.³⁷

³⁷ Service may also be made electronically if a locality has submitted a written request to the Company for electronic service, pursuant to the Commission's April 19, 2016 Order in Case No. PUE-2016-00039. *See Petition of Virginia Electric and Power Company, For a continuing waiver of 20 VAC-5-201-10 J of the Rules Governing Utility Rate Applications and Annual Informational Filings to permit electronic service to local officials upon request*, Case No. PUE-2016-00039, Doc. Con. Cen. No. 160420194, Order (Apr. 19, 2016).

(8) On or before September 11, 2019, the Company shall file proof of the notice and service required by Ordering Paragraphs (6) and (7), including the name, title, and address of each official served with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.

(9) On or before November 12, 2019, any interested person may file written comments on the CPCN portion of Dominion's Petition with the Clerk of the Commission at the address set forth in Ordering Paragraph (8). Any interested person desiring to submit comments on the CPCN portion of Dominion's Petition electronically may do so on or before November 12, 2019, by following the instructions found on the Commission's website:

<http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All comments shall refer to Case No. PUR-2019-00105.

(10) On or before February 18, 2020, any interested person may file written comments on the RAC portion of Dominion's Petition with the Clerk of the Commission at the address shown in Ordering Paragraph (8). Any interested person desiring to submit comments on the RAC portion of Dominion's Petition electronically may do so on or before February 18, 2020, by following the instructions found on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All comments shall refer to Case No. PUR-2019-00105.

(11) On or before September 17, 2019, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation. If not filed electronically, an original and fifteen (15) copies of the notice of participation shall be submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (8). The

respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company at the address in Ordering Paragraph (5). Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2019-00105.

(12) Within five (5) business days of receipt of a notice of participation as a respondent, the Company shall serve upon each respondent a copy of this Order for Notice and Hearing, a copy of the public version of the Petition, and a copy of the public version of all materials filed by the Company with the Commission, unless these materials already have been provided to the respondent.

(13) On or before October 8, 2019, each respondent may file with the Clerk of the Commission at the address set forth in Ordering Paragraph (8) and serve on the Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case on the CPCN portion of Dominion's Petition, and each witness's testimony shall include a summary not to exceed one page. If not filed electronically, an original and fifteen (15) copies of such testimony and exhibits shall be submitted to the Clerk of the Commission. In all filings, the respondent shall comply with the Commission's Rules of Practice, including 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2019-00105.

(14) The Staff shall investigate the CPCN portion of Dominion's Petition. On or before October 22, 2019, Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of its testimony and exhibits on the CPCN portion of Dominion's Petition, and each Staff witness's testimony shall include a summary not to exceed one page. The Staff shall serve a copy thereof on counsel to Dominion and all respondents.

(15) On or before November 5, 2019, Dominion shall file with the Clerk of the Commission: (a) any rebuttal testimony and exhibits that it expects to offer on the CPCN portion of its Petition, and each rebuttal witness's testimony shall include a summary not to exceed one page; and (b) a summary not to exceed one page of each direct witness's testimony if not previously included therewith. The Company shall serve a copy of the testimony and exhibits on the Staff and all respondents. If not filed electronically, an original and fifteen (15) copies of such rebuttal testimony and exhibits shall be submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (8).

(16) On or before January 7, 2020, each respondent may file with the Clerk of the Commission at the address set forth in Ordering Paragraph (8) and serve on the Staff, the Company, and all other respondents, any testimony and exhibits by which the respondent expects to establish its case on the RAC portion of Dominion's Petition, and each witness's testimony shall include a summary not to exceed one page. If not filed electronically, an original and fifteen (15) copies of such testimony and exhibits shall be submitted to the Clerk of the Commission. In all filings, the respondent shall comply with the Commission's Rules of Practice, including 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2019-00105.

(17) The Staff shall investigate the RAC portion of Dominion's Petition. On or before January 28, 2020, Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of its testimony and exhibits on the RAC portion of Dominion's Petition, and each Staff witness's testimony shall include a summary not to exceed one page. The Staff shall serve a copy thereof on counsel to Dominion and all respondents.

(18) On or before February 11, 2020, Dominion shall file with the Clerk of the Commission: (a) any rebuttal testimony and exhibits that it expects to offer on the RAC portion of its Petition, and each rebuttal witness's testimony shall include a summary not to exceed one page; and (b) a summary not to exceed one page of each direct witness's testimony if not previously included therewith. The Company shall serve a copy of the testimony and exhibits on the Staff and all respondents. If not filed electronically, an original and fifteen (15) copies of such rebuttal testimony and exhibits shall be submitted to the Clerk of the Commission at the address set forth in Ordering Paragraph (8).

(19) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(20) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within five (5) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically, or by facsimile, on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney if the

interrogatory or request for production is directed to the Staff.³⁸ Except as modified above, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(21) The Company's request for waiver of the requirements of 20 VAC 5-201-60 and 20 VAC 5-201-90 for filing Schedule 45 is granted as set forth in this Order.

(22) The Company's request for waiver of filing additional copies of its publicly available 2018 Form 10-K as required by 20 VAC 5-302-20(4) of the Generation Rules is granted as set forth in this Order.

(23) The Company's request for limited waiver of the requirements of 20 VAC 5-201-60 and 20 VAC 5-201-90 with respect to Filing Schedule 46 (b) as to fuel requirements is granted as set forth in this Order.

(24) The Company's request for partial waiver of the following Generation Rules: (i) 20 VAC 5-302-25(8) as to fuel requirements; (ii) 20 VAC 5 302 35(2) and (6) as to fuel requirements; and (iii) 20 VAC 5-302-25(6)(b) as to providing a topographic map of the proposed sites for the Project is granted, as set forth in this Order.

(25) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

Lisa S. Booth, Esquire, and Audrey T. Bauhan, Esquire, Dominion Energy Services, Inc., 120 Tredegar Street, Richmond, Virginia 23219; Elaine S. Ryan, Esquire, and Sarah R. Bennett, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219-3916; and C. Meade Browder, Jr., Senior Assistant Attorney General, Office of the

³⁸ The assigned Staff attorney is identified on the Commission's website: <http://www.scc.virginia.gov/case>, by clicking "Docket Search," and clicking "Search Cases," and entering the case number, PUR-2019-00105, in the appropriate box.

Attorney General, Division of Consumer Counsel, 202 N. 9th Street, 8th Floor, Richmond,
Virginia 23219-3424. A copy also shall be delivered to the Commission's Office of General
Counsel and Divisions of Public Utility Regulation and Utility Accounting and Finance.

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Company Exhibit No. 1
 Witness: KW
 Schedule 5
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